

A Trans Lawyer's Guide to

Changing Your Name & Gender in North Carolina

by Harriet Wiginton, Attorney

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Changing your name in North Carolina is tedious and expensive. This zine is designed to be a checklist of what you need to do to make it happen anyway.

If you are transgender, it's safe to say that you are used to change, but that it can take great effort - more than you thought necessary or possible, with hurdles that you couldn't have anticipated.

I hope I can comfort you somewhat by telling you that changing your name is *just* tedious. It will be far from the most difficult thing you do as you transition, and I have 100% confidence that if you follow the steps here, you will be well on your way to shouting your true name into the face of the world, and hearing that true name repeated back to you.

Changing your gender marker in North Carolina is, as of the time of this writing in May 2026, relatively straightforward. The only major requirement is that you have a health care professional willing to fill out a form on your behalf. Unfortunately, this is likely to change at some point thanks to a law passed earlier in 2025. If you would like for your gender to be memorialized in state documents, you should move fast. Read on for more specifics.

If you have trouble with this process, you aren't alone. The writer of this zine, Harriet Wiginton, is a licensed North Carolina attorney, and perhaps more importantly, a licensed transgender woman. She will be happy to talk to you about the name and gender marker change process- drop her a line at hwiginton42@gmail.com if you have any questions.

Getting Started

A Note About QR Codes

This zine relies on QR Codes to share important links. If you don't have a smartphone that can read them, a list of links is available at the end of the zine. You can also access these links at <https://linktr.ee/ncnamechangezine>.



This QR code leads to a guide published by Wake County regarding the documents and forms needed to have your name changed. Printing out the guide is a great place to start.

Some things you'll need before you start:

1. **Access to a printer and computer**, to access online forms and print others to send in by mail.
2. **Access to transportation**, for getting to your county's courthouse and fingerprinting office, getting money orders and docs notarized, etc
3. **Around \$200**, not including the cost of notarization, which you can avoid if you have it done at your bank
4. **Stamps and envelopes** for mailing in forms
5. **Two non-family references** who you've known for at least 6 months, and who live in the county where you will be filing your name change
6. **Patience and perseverance**. This is a process that takes a few months, lots of paperwork, and some navigating bureaucracy. But we did it, and I know you can too!

Step 1: Fingerprint Cards

You will need to provide the results of both a state and federal background check to change your name, and to get those background checks, your first step will be getting fingerprint cards made. These are typically going to be made by the police in your county- **the easiest way to identify where to go in any county will be to call the local non-emergency police line and ask where you can have fingerprint cards made.**

- The cards you will be having made are also known as FD-258 Fingerprint Cards.
- Get two of these cards made: one each for the state and federal background checks.
- The cost of this will vary by county. In Wake County, it will cost \$35 total: \$30 for the initial fingerprint card, and \$5 per additional fingerprint card.

Here are a few offices in some of the larger NC counties where you can get fingerprint cards.



Wake



Durham



Guilford



Mecklenburg



Forsyth

Step 2: State and Federal Background Checks

A. State Background Check (this must be done by mail)



This QR Code links to a document with information about state background checks. Page 5 of the document has mail-in instructions.

To obtain the State Background Check, you will mail a packet including:

- A completed fingerprint card
- The \$14 money order as described below in this section*
- A filled out version of page 5 of the PDF linked at the QR code above. Mail this to:

NC State Bureau of Investigation

Criminal Information and Identification Section

Attention: Applicant Unit — Right to Review

3320 Garner Road

Raleigh, NC 27610

This will take approximately 20 days to get back to you.

* Money orders can be purchased at most grocery stores and probably your bank. It will need to be in the amount of \$14 per background check, and must be made out to NC State Bureau of Investigation. This is exact!

B. Federal Background Check



**Fill out the online form and
follow the instructions here.**

This will cost \$18, includes mailing in your second fingerprint card to complete the background check to:

**FBI CJIS Division – Summary Request
1000 Custer Hollow Road
Clarksburg, WV 26306**

This will take approximately 15 days to get back to you.

An Important Note on Timing

Your name change *application* must be filed within 90 days of the date printed on your background check responses. Plan your timeline accordingly, or you may need to re-order the background checks!

Step 3: Affidavits of Character

You will need two Affidavits of Character made.



The forms linked at this QR Code must be filled out by people you know according to the specifications below.

The people who fill out your Affidavits of Character must be:

- Residents of your county
- Not related to you by blood or marriage
- Have known you for at least 6 months

The people who do this for you must have these documents notarized themselves. This can be done at their bank, or at a UPS Store for a small fee.

For the section on page 2 labeled “The basis for my knowing the applicant and for my knowing the character of the applicant to be good is as follows,” here is suggested template that your chosen folks can use:

“I have known _____ for ____ years. _____ is a close personal friend in my community. I personally know _____ to be a person of good character and that _____ has a reputation as a person with good character and good standing in the community.”

Step 4: Application for Adult Name Change



Fill out the Application for Adult Name Change linked at this QR Code and have it notarized at your bank, or at a UPS Store for a small fee.

Alternatively, you can fill the form using the eCourts Guide and File software, linked at this QR Code. You will still need to notarize it.



Most of the parts of the form or website can be filled out using information taken from your birth certificate, if you have that available.

On page 2 of the form, there is a section labeled “9. I am applying for a change of name for the following reasons: (provide facts and considerations in support of name change).” Here is what I wrote. Please feel free to adapt for yourself! This example is longer, but it isn’t necessary to write this much if you don’t want to- a brief note that you use your chosen name already should also be enough!

“I am a transgender woman who has been living as a woman for 2 years. My intent is to live under my chosen name, Harriet Wiginton, in every respect of my life. I selected this name after due consideration, and have chosen to take the last name of my husband, Emmett Wiginton, as well. As of right now, I use the name Harriet with my family, friends, and at work. I am also a North Carolina attorney, and this name change will enable me to practice as myself. This name change will allow me to live under my chosen name and in accordance with my appearance and identity. My birth name is _____, and is currently unused except when necessary to legally identify myself.”

Step 5: Assemble your name change documents

*Put together a folder containing the following.
(Use this page as a checklist!)*

- ☐ 1. **The results of your State Background Check**
- ☐ 2. **The results of your Federal Background Check**
- ☐ 3. **Two signed and notarized Affidavits of Character**
- ☐ 4. **A signed and notarized Application for Adult Name Change**
- ☐ 5. **Your photo ID with an in-county address on it**
 - a. (if your current ID does not have an in-county address on it, that is okay- just bring a bill from within the last month that shows your current in-county address)
- ☐ 6. **Your original birth certificate** (or a certified copy).
 - a. If this was not generated in the United States or is otherwise not in English, you will need at least one of the following (if you have more than one method, bring it too)
 - i. An original or certified copy of your translated birth certificate which has been translated into English by a certified translator.
 - ii. An original or certified copy of your Immigration Certificate
 - iii. An original or certified copy of a Certificate of Foreign Birth (for US citizens born abroad)
 - iv. Your US passport or a passport from another country

Step 6: Change your name!

Go to your county courthouse and get your name changed!

1. **Bring your folder to the Special Proceedings office.** Tell the clerk you are here to change your name and that you have everything you need to apply.
2. **When they are ready, present them with the packet.** They will go through it, and probably won't have a problem with it if you have everything.
3. **They will ask you for contact information, including email and phone number.** They will keep (and mail back) your birth certificate.
4. **The clerk should give you a file number.** It will look like this:
25SP001234-000. If they do not, request it before you leave Special Proceedings.
5. **Photograph your file number and keep it safe.** This is the only way to search your name change documents after the fact. You will also need it in the future, in case you need to order more certified name changes.



You can track the process of your name change via the NC eCourts Portal. Go to the link at this QR Code and search your case number in "Smart Search."

After they have scanned in everything at the courthouse, they will:

1. **Tell you the current waiting period.** It may be a few weeks.
2. **Ask you to pay the fee for the name change.** This fee may vary by county- in Wake County it is \$120. You may want to confirm the payment methods they accept ahead of time. Make sure to keep the receipt, and take a photo of it.

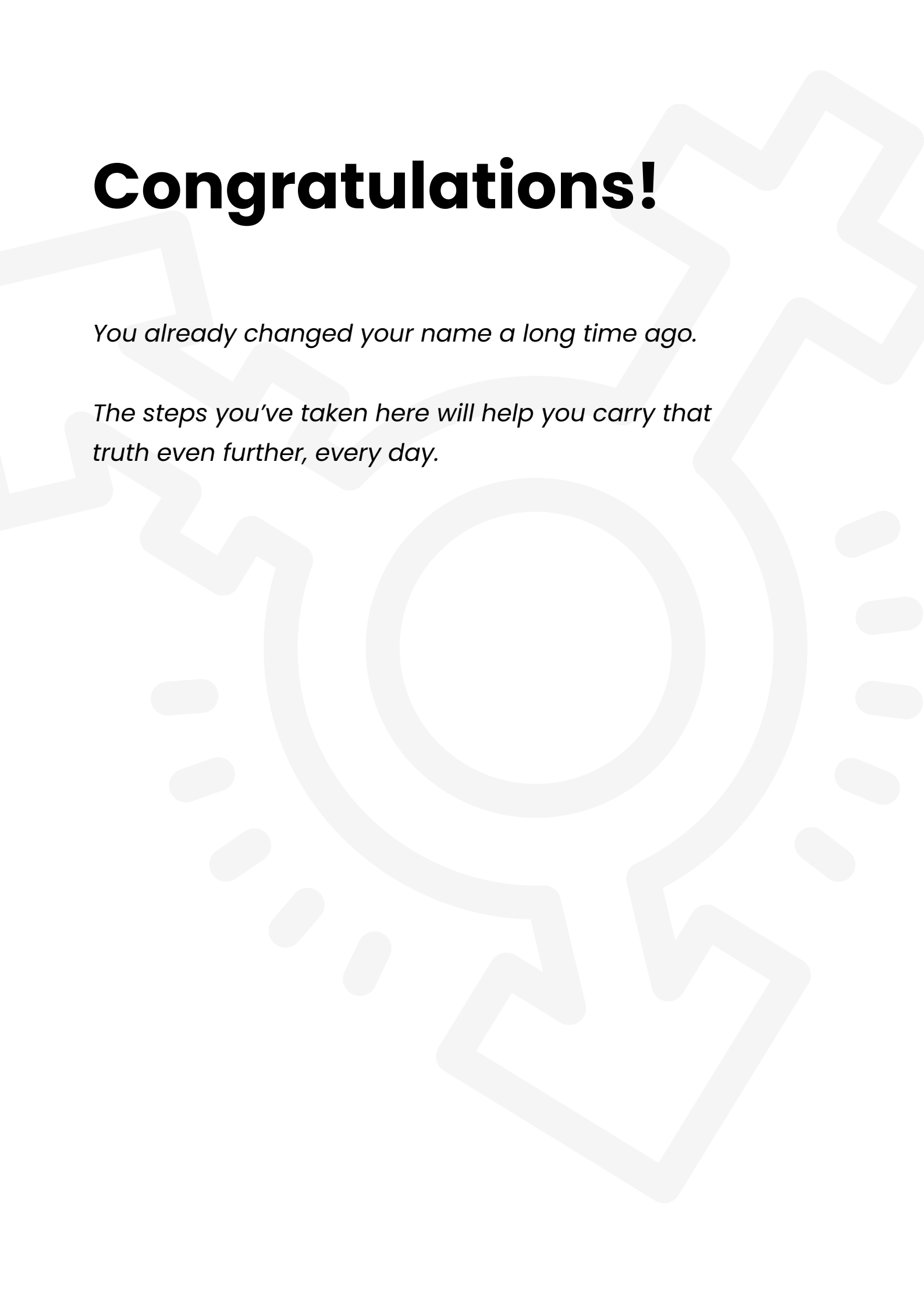
That's it for the courthouse. The final step in this process:

Wait for the Name Change Orders and your documents to be mailed to you. They will mail you 5 copies. That seems like a lot, but they are the only record you will have of your name change without returning to the courthouse. **Treat at least 1 copy like your birth certificate or social security card, and keep it safe.**

Congratulations!

You already changed your name a long time ago.

The steps you've taken here will help you carry that truth even further, every day.



Tips and Tricks

1. **You probably noticed this, but there are pretty substantial waiting periods involved with many of these steps.** These steps can be done concurrently- for instance, you could mail in your state and federal background check requests while working on getting your affidavits of character together! There is no necessity to do this, but it will save you time.
2. **The county that you are based in may have different or more stringent requirements than the ones that this guide is based on.** The process in this guide should follow all North Carolina statutory requirements that exist as of October 2025, but ultimately, the fate of your name change is in the hands of the Special Proceedings clerk at your local courthouse. There are a few things to think about in light of this:
 - a. **The more organized you are, the better you are going to come off in the eyes of this clerk.** They deal with people who have to follow complex procedures all day long, and the easier you make their job, the easier of a time you will have.
 - b. **You may encounter prejudice at the courthouse.** If this happens to you, do not panic. Ask exactly why they are rejecting your application, and reach out to an attorney in your county for help.
 - c. **If you have the opportunity to, and have residency in multiple counties, generally you will encounter fewer problems filing for your name change in more urbanized counties.**

Updating Your Name and Gender on your NC ID

Considering the godawful wait times at NC DMVs, I suggest planning to get all of your updates done in one trip. Appointments are difficult to get, and you should plan to arrive an hour or two before they open and to spend all day there.

*Documents to bring for changing the **name** on your ID :*



**A Notarized
DL-101 Form**

AND



**A certified copy of
your legal name
change order**

*Documents to bring for changing the **gender marker** on your ID :*



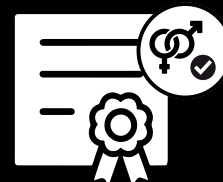
**A DL-300 form, filled out and signed by a
physician, psychiatrist, therapist, or social
worker who has treated you.**

OR



**A copy of your
current ID**

AND



**An updated birth
certificate with your new
gender marker on it**

Either of these individually, or both together, should cost \$16.75.

Updating your Name and Gender on your NC Birth Certificate

Note that this only applies if you have a North Carolina birth certificate. If you were born in another state/country, check with local LGBTQ resources for help!



Complete the modification form linked at this QR code. Put down the name as one incorrect piece of info, and the gender as another.

You'll need to mail the above form in a packet to Vital Records. Here's what else needs to go in the packet:



**A photo of your ID:
Driver's license, non-
driver ID, passport, or
another photo ID**

AND



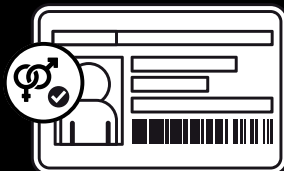
**A copy of your
legal name
change order**

AND



**Proof of
change of
gender**

Options for Proof of Change of Gender:



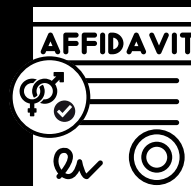
A photo of your gender-
corrected ID. This could
be your NC Driver's
License, ID or Passport.

OR



A certificate of gender
identity, signed by a
treating physician,
therapist, or social worker.

OR



Proof of gender
reassignment
surgery.*

*** NOTE:** you don't need to specify what surgery! You would need a notarized affidavit from a doctor that you have had your sex surgically changed.

Notes and Next Steps:

- **IMPORTANT: HB805, a 2025 law that attempts to redefine sex as referring exclusively to assigned gender at birth, may impact this guide.**

This law is very vague about what this means practically for us. On December 1, 2025, it changed birth certificate amendments to require that the original version be attached to the updated version. On January 1, 2026, the sex redefinition took effect, and it may also change DMV or birth certificate policies. I won't fearmonger about it, but it may impact the steps in this guide and it may be tougher to get your name and gender changed at some point in the future. If you intend to change your gender marker, I would go ahead ASAP. As of 5/1/26, except for the above and to the best of my knowledge, there has been no change to NCDMV's or Vital Records' procedure for ID gender marker changes.

Outside of IDs, I have not seen any enforcement of this as a bathroom ban or anything like that. If you are affected by HB805's redefinition personally, please email me at hwiginton42@gmail.com so we can track and fight it.

- **If applicable, book an appointment with the Social Security office to have the name on your Social Security Card changed.**
- **You can also apply for a passport,** for use in international travel or as another form of ID. Trans applicants have reported inconsistent results in applying, but have gotten passports with a correct gender marker back as recently as February 2026. While not a surefire method, it appears that having your application documents aligned as to your gender marker may help in making this happen. Check the State Department's website for more information.

Good luck and don't forget- we love you!

List of Links

Linktree (contains all the links below!): <https://linktr.ee/ncnamechangezine>

- Wake County Name Change Instruction Booklet: <https://archive.org/details/wake-county-name-change/mode/1up>
- Wake County Fingerprinting Services: <https://www.wake.gov/departments-government/wake-county-bureau-forensic-services>
- Durham County Fingerprinting Services: <https://www.durhamsheriff.com/services/records/public-fingerprinting>
- Guilford County Fingerprinting Services: <https://www.guilfordcountync.gov/our-county/sheriff-s-office/divisions/legal-process/finger-printing>
- Mecklenburg County Fingerprinting Services: <https://www.mecksheriff.com/index.php/fingerprints/>
- Forsyth County Fingerprinting Services: <https://forsyth.cc/sheriff/fingerprinting.aspx>
- State Background Check Request Form: https://www.ncsbi.gov/Services/SBI-Forms/SBIRight-to-Review_FILLABLE-2021.aspx
- Federal Background Check Request Form: <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/identity-history-summary-checks>
- Affidavit of Character Form: <https://www.nccourts.gov/assets/documents/forms/sp607.pdf?VersionId=yX3uPm253usQheBICFyrmKcvdWWNJNA>
- Application for Adult Name Change Form: https://www.nccourts.gov/assets/documents/forms/sp604.pdf?VersionId=GiLgvh_WFWxdYqbAUf4v.RPaeIcB24RT
- eCourts Guide and File: <https://northcarolina.tylertech.cloud/SRL/SRL>
- eCourts Portal (case status): <https://portal-nc.tylertech.cloud/Portal/>
- DMV Name Change Form - DL-101: <https://www.ncdot.gov/dmv/downloads/Documents/DL-101.pdf>
- DMV Gender Change Form - DL-300: <https://www.ncdot.gov/dmv/downloads/Documents/DL-300.pdf>
- NC Birth Certificate Modification Request Form: <https://vitalrecords.nc.gov/documents/NCOVR-BirthModificationsApplicationFinal-07072022v6.pdf>

Notes



this zine is self-
replicating! scan
here for a digital,
printable version.

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